

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.622(i))	
Table of Allotments,)	MB Docket No.
Digital Television Table of Allotments)	RM-
(Morehead, Kentucky and Richmond, Kentucky))	

To: Office of the Secretary
Attn: Video Division, Media Bureau

PETITION FOR RULE MAKING

ION MEDIA LEXINGTON LICENSE, INC. (“Petitioner”), licensee of digital television station WUPX -TV, and pursuant to Section 307(b) of the Communications Act of 1934, as amended, and Section 1.420 of the Commission’s rules,¹ hereby submits this Petition for Rulemaking (the “Petition”) to request that the Commission amend Section 73.622(i) of its Rules, the DTV Table of Allotments, to delete Channel 25 at Morehead, Kentucky and substitute Channel 25 at Richmond, Kentucky.² Pursuant to Section 1.420, Petitioner further requests that the license for WUPX-TV also be modified to specify the new community of license without allowing competing applications.³

¹ 47 U.S.C. § 307(b); 47 C.F.R. § 1.420(i).

² ION recognizes that the Television Table of Allotments has not been updated since the conclusion of Auction 1000 and that the Commission intends to adopt a fully revised Table of Allotments following the repack. *See Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, Report and Order*, 29 FCC Rcd 6567, n. 1545 (2014). The requested change should be included in the permanent Television Table of Allotments adopted by the Commission.

³ Modification of FM and TV Authorizations to Specify a New Community of License, *Report and Order*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, 5 FCC Rcd 7094 (1990).

I. REALLOTMENT OF CHANNEL 25 TO RICHMOND SATISFIES THE FCC'S ALLOTMENT PRIORITIES.

Pursuant to Section 307(b) of the Communications Act of 1934, as amended, the Commission must provide a “fair, efficient and equitable distribution of radio service” among the various states and communities in the country.⁴ In considering a proposal to reallocate a television station from one community to another, the Commission compares the existing allotment and the proposed allotment to determine whether or not the proposal will result in a preferential arrangement of allotments.⁵ In making this determination, the Commission has long applied a series of five allotment priorities. Those television allotment priorities are to “(1) provide at least one television service to all parts of the United States; (2) provide each community with at least one television broadcast station; (3) provide a choice of at least two television services to all parts of the United States; (4) provide each community with at least two television broadcast stations; and (5) assign any remaining channels to communities based on population, geographic location, and the number of television services available to the community from stations located in other communities.”⁶

⁴ 47 U.S.C. § 307(b).

⁵ See, e.g., *North Pole and Plattsburg, New York, Report and Order*, 26 FCC Red 32, 33 (2011), *citing* Amendment of Section 3.606 of the Commission’s Rules and Regulations, *Sixth Report and Order*, 41 FCC 148, 167-173 (1952).

⁶ *Id.*

Reallotment of WUPX-TV's Channel 25 from Morehead to Richmond would represent a preferential allotment pursuant to Priority 2, as Richmond is a much larger community than Morehead and the reallotment would provide the larger community of Richmond with its first local full-power television service.⁷

Petitioner proposes a change in WUPX-TV's licensed facilities from the station's currently authorized transmission facilities, as shown in Exhibit A.⁸ WUPX-TV will provide a signal that encompasses the entire City of Richmond from the station's proposed transmission facilities. WUPX-TV's proposal is shown in Exhibit B.⁹

II. THE COMMUNITY OF RICHMOND DESERVES A FIRST LOCAL TELEVISION SERVICE.

The City of Richmond was founded in 1798 and is the third-largest city in the Bluegrass Region. Richmond qualifies as a community for allotment purposes. With a 2010 Census population of 31,364 people, the City of Richmond is the county seat of Madison County.¹⁰ The City operates under a council-manager government. The citizens elect a mayor and four city commissioners who form the Board of Commissioners. The Board of Commissioners is the legislative body of the city government and represents the interests of the citizens when applicable. The Board of Commissioners appoints a city manager, who administers the day-to-day operations of the city.

The City government oversees municipal services such as the Richmond Fire Department, the Richmond Police Department, Richmond Recycling Plant, and Richmond

⁷ According to the 2010 Census, Morehead has a population of 6,845 and Richmond has a population of 31,364. See United States Census Bureau American Fact Finder, available at http://factfinder.census.gov/faces/nav/jsf/pales/community_facts.xhtml

⁸ See Exhibit A

⁹ See Exhibit B

¹⁰ See United States Census Bureau American Fact Finder, available at http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml

Utilities (including Water, Gas and Sanitary Sewer services). The City has a Planning and Zoning Department that helps shape Richmond's future and fosters sustainable growth for tomorrow. Richmond has fifteen Public Schools, including two middle schools, one high school and three technical/trade schools. Exhibit C presents overall statistics on the City of Richmond.¹¹

Despite its size and importance, there are currently no full-power television stations licensed to Richmond. Accordingly, an allotment at Richmond would qualify for consideration under Priority 2 as the community's first local service. Moreover, Morehead will continue to have a television station allotted to it, Kentucky Educational Television Station WKMR(TV). As a result, the proposed allotment does not in any way compromise Priority 1. Nor will the proposed change of community of license create any new interference to any other television station or other licensed operation in the service area.

III. CONCLUSION


Petitioner respectfully requests that the Commission issue a Notice of Proposed Rulemaking on an expedited basis to amend the DTV Table of Allotments to delete Channel 25 at Morehead, Kentucky and substitute Channel 25 at Richmond, Kentucky. Petitioner will file all necessary applications to modify Petitioner's authorizations for WUPX-TV to specify Richmond as the station's community of license.

To provide the parties with the ability to complete the repack according to the scheduled phase, WUPX-TV requests that it be permitted to make its community of license change expeditiously.

¹¹See Exhibit C

Respectfully submitted,

ION MEDIA LEXINGTON LICENSE, INC.

By: 
Its: SECRETARY

ION Media Networks, Inc.
601 Clearwater Park Road
West Palm Beach, FL 33401

EXHIBIT A

Modification of a DTV Construction Permit Application



(DRAFT COPY - Not for submission)

Modification of a DTV Station Construction Permit Application

File Number: | Submit Date: **10/02/2018** | Call Sign: **WUPX-TV** | Facility ID: **23128** | FRN: **0004927737** | State:
Kentucky | City: **MOREHEAD**
Service: **DTV** | Purpose: **Minor Modification 0000034400** | Status: **Saved** | Status Date: **09/13/2018** | Filing Status:
Active

General Information

Section	Question	Response
Attachments	Are attachments (other than associated schedules) being filed with this application?	Yes

Fees, Waivers, and Exemptions

Section	Question	Response
Fees	Is the applicant exempt from FCC application Fees?	No
	Indicate reason for fee exemption:	
	Is the applicant exempt from FCC regulatory Fees?	No
Waivers	Does this filing request a waiver of the Commission's rule(s)?	Yes
	Total number of rule sections involved in this waiver request:	2
	Are the frequencies or parameters requested in this filing covered by grandfathered privileges, previously approved by waiver, or functionally integrated with an existing station?	No

**Applicant
Information**

Applicant Name, Type, and Contact Information

Applicant	Address	Phone	Email	Applicant Type
ION MEDIA LEXINGTON LICENSE, INC. Doing Business As: ION MEDIA LEXINGTON LICENSE, INC.	601 Clearwater Park Road West Palm Beach, FL 33401 United States	+1 (561) 682-4110	BiancaFrye@ionmedia. com	Corporation

Authorization Holder Name

- ☐ Check box if the Authorization Holder name is being updated because of the sale (or transfer of control) of the Authorization(s) to another party and for which proper Commission approval has not been received or proper notification provided.

**Contact
Representatives
(2)**

Contact Name	Address	Phone	Email	Contact Type
Shea Clark <i>VP, Engineering</i> ION Media Networks, Inc.	Shea Clark 14444 66th Street N Clearwater, FL 33764 United States	+1 (727) 533- 2708	SheaClark@ionmedia. com	Technical Representative
Bianca Frye <i>Paralegal</i> ION Media Networks, Inc.	601 Clearwater Park Road West Palm Beach, FL 33401 United States	+1 (561) 682- 4110	BiancaFrye@ionmedia. com	Paralegal

Alien Ownership

Question	Response
1) Is the applicant a foreign government or the representative of any foreign government as specified in Section 310(a) of the Communications Act?	No
2) Is the applicant an alien or the representative of an alien? (Section 310(b)(1))	No
3) Is the applicant a corporation, or non-corporate entity, that is organized under the laws of any foreign government? (Section 310(b)(2))	No
4) Is the applicant an entity of which more than one-fifth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any entity organized under the laws of a foreign country? (Section 310(b)(3))	No
5) Is the applicant directly or indirectly controlled by any other entity of which more than one-fourth of the capital stock, or other equity or voting interest, is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any entity organized under the laws of a foreign country? (Section 310(b)(4))	No
6) Has the applicant received a declaratory ruling(s) under Section 310(b)(4) of the Communications Act?	
6a) Enter the citation of the applicable declaratory ruling by DA/FCC number, FCC Record citation, release date, or any other identifying information.	
7) Has there been any change in the applicant's foreign ownership since issuance of the declaratory ruling(s) cited in response to Question 6?	
7a) Enter the File or Docket Number of the Petition for Declaratory Ruling that the applicant has filed for its foreign ownership in connection with this application pursuant to Section 310(b)(4) of the Communications Act. It is not necessary to file a request for a foreign ownership declaratory ruling if the applicant attaches a showing that the requested authorization(s) is exempt from the provisions of Section 310(b)(4).	
8) Does the applicant certify that it is in compliance with the terms and conditions of the foreign ownership declaratory ruling(s) cited in response to Question 6?	
9) In connection with this application, is the applicant filing a foreign ownership Petition for Declaratory Ruling pursuant to Section 310(b)(4) of the Communications Act?	

Basic Qualifying Questions

Section	Question	Response
Revoked Application	Has the Applicant or any party to this application had any FCC station Authorization revoked or had any application for an initial, modification or renewal of FCC station Authorization denied by the Commission?	No
State or Federal Convictions	Has the Applicant or any party to this application, or any party directly or indirectly controlling the Applicant, ever been convicted of a felony by any state or federal court?	No

**Channel and
Facility
Information**

Section	Question	Response
Proposed Community of License	Facility ID	23128
	State	Kentucky
	City	MOREHEAD
	DTV Channel	25
Facility Type	Facility Type	Commercial
	Station Type	Main
Zone	Zone	2

**Antenna Location
Data**

Section	Question	Response
Antenna Structure Registration	Do you have an FCC Antenna Structure Registration (ASR) Number?	Yes
	ASR Number	1044238
Coordinates (NAD83)	Latitude	37° 47' 18.0" N+
	Longitude	084° 40' 49.0" W-
	Structure Type	TOWER-A free standing or guyed struct
	Overall Structure Height	335.0 meters
	Support Structure Height	334.0 meters
	Ground Elevation (AMSL)	288.0 meters
Antenna Data	Height of Radiation Center Above Ground Level	328 meters
	Height of Radiation Center Above Average Terrain	353 meters
	Height of Radiation Center Above Mean Sea Level	616.0 meters
	Effective Radiated Power	465 kW

Antenna Technical Data

Section	Question	Response
Antenna Type	Antenna Type	Directional Custom
	Do you have an Antenna ID?	No
	Antenna ID	
Antenna Manufacturer and Model	Manufacturer:	ERI
	Model	ATW20H3-ESPX-25H
	Rotation	0 degrees
	Electrical Beam Tilt	0.75
	Mechanical Beam Tilt	Not Applicable
	toward azimuth	
	Polarization	Elliptical
DTV and DTS: Elevation Pattern	Does the proposed antenna propose elevation radiation patterns that vary with azimuth for reasons other than the use of mechanical beam tilt?	No
	Uploaded file for elevation antenna (or radiation) pattern data	

Directional Antenna Relative Field Values (Pre-rotated Pattern)

Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)	Degree	V _A (Authorized Value)
0	.222	90	.997	180	.402	270	.542
10	.201	100	.979	190	.517	280	.392
20	.214	110	.879	200	.687	290	.281
30	.265	120	.722	210	.851	300	.221
40	.365	130	.548	220	.966	310	.200
50	.511	140	.418	230	1.0	320	.216
60	.674	150	.364	240	.956	330	.248
70	.826	160	.353	250	.852	340	.265
80	.941	170	.360	260	.706	350	.253

Additional Azimuths

Degree	V _A
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**Parties to the
Application (0)**

Information not provided.

**Attributable
Interest**

Section	Question	Response
Equity and Financial Interests	Applicant certifies that equity and financial interests not set forth by the applicant parties are non-attributable.	
Other Authorizations	Does the applicant or any party to the application have an attributable interest in any other broadcast station(s).	
Multiple Ownership	Is the applicant or any party to the application the holder of an attributable radio or television joint sales agreement or an attributable radio or television time brokerage agreement in the same market as the station subject to this application?	No
	Applicant certifies that the proposed facility complies with the Commission's multiple ownership rules and cross-ownership rules.	Yes
	Applicant certifies that the proposed facility: (a) does not present an issue under the Commission's policies relating to media interests of immediate family members; (b) complies with the Commission's policies relating to future ownership interests; (c) complies with the Commission's restrictions relating to the insulation and non-participation of non-party investors and creditors	Yes
	Does the Applicant claim status as an "eligible entity," that is, an entity that qualifies as a small business under the Small Business Administration's size standards for its industry grouping (as set forth in 13 C.F.R. § 121-201), and holds: (a) 30 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet; or (b) 15 percent or more of the stock or partnership interests and more than 50 percent of the voting power of the corporation or partnership that will own the media outlet, provided that no other person or entity owns or controls more than 25 percent of the outstanding stock or partnership interests; or (c) more than 50 percent of the voting power of the corporation that will own the media outlet (if such corporation is a publicly traded company)?	No

**Construction
Permit
Certifications**

Section	Question	Response
Post-Incentive Auction Expedited Processing	It will operate on the DTV channel for this station as established in the post-incentive auction channel reassignment public notice.	No
	It will operate post-incentive auction facilities that do not expand the noise-limited service contour in any direction beyond that established by the post-incentive auction channel reassignment public notice.	Yes
	It will operate post-incentive auction facilities that match or reduce by no more than five percent with respect to predicted population from those defined in the post-incentive auction channel reassignment public notice.	No
	The antenna structure to be used by this facility has been registered by the Commission and will not require re-registration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely affect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7.	Yes
Environmental Effect	Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? (See Section 1.1306 of 47 C.F.R.)	No
Broadcast Facility	The proposed facility complies with the applicable engineering standards and assignment requirements of 47 C. F.R. Sections 73.616, 73.622(i), 73.623(e), 73.625, 73.1030, and 73.1125.	No

**Legal
Certifications**

Section	Question	Response
Character Issues	<p>Applicant certifies that neither applicant nor any party to the application has or had any interest in, or connection with:</p> <p>(a) any broadcast application in any proceeding where character issues were left in unresolved or were resolved adversely against the applicant or party to the application; or</p> <p>(b) any pending broadcast application in which character issues have been raised.</p>	
Adverse Findings	<p>Has the Applicant or any party to this application had an adverse finding or an adverse final action taken by any court or administrative body in a civil or criminal proceeding brought under any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?</p>	
Program Service Certification	<p>Applicant certifies that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area.</p>	
Local Public Notice	<p>Applicant certifies that it has or will comply with the public notice requirements of 47 C.F.R. Section 73.3580.</p>	
Auction Authorization	<p>Is the applicant submitting an application to obtain a construction permit as a result of winning an auction?</p>	
Equal Employment Opportunity (EEO)	<p>If the applicant proposes to employ five or more full-time employees, applicant certifies that it is filing simultaneously with this application a Model EEO Program Report.</p>	

Certification

Section	Question	Response
General Certification Statements	The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by authorization or otherwise, and requests an Authorization in accordance with this application (See Section 304 of the Communications Act of 1934, as amended.).	
	The Applicant certifies that neither the Applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to §5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862, because of a conviction for possession or distribution of a controlled substance. This certification does not apply to applications filed in services exempted under §1.2002(c) of the rules, 47 CFR . See §1.2002(b) of the rules, 47 CFR §1.2002(b), for the definition of "party to the application" as used in this certification §1.2002 (c). The Applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	
Authorized Party to Sign	FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID Upon grant of this application, the Authorization Holder may be subject to certain construction or coverage requirements. Failure to meet the construction or coverage requirements will result in automatic cancellation of the Authorization. Consult appropriate FCC regulations to determine the construction or coverage requirements that apply to the type of Authorization requested in this application. WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND /OR IMPRISONMENT (U.S. Code, Title 18, §1001) AND/OR REVOCATION OF ANY STATION AUTHORIZATION (U.S. Code, Title 47, §312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, §503).	
	I certify that this application includes all required and relevant attachments.	
	I declare, under penalty of perjury, that I am an authorized representative of the above-named applicant for the Authorization(s) specified above.	

Attachments

File Name	Uploaded By	Attachment Type	Description
<u>2018-10-01 WUPX Lexington Engineering Exhibit.pdf</u>	Applicant	All Purpose	Engineering Exhibit
<u>2018-10-01 WUPX Lexington RF Hazard Statement.pdf</u>	Applicant	Construction Permit Certifications	RF Hazard Statement
<u>2018-10-01 WUPX Lexington Waiver Exhibit.pdf</u>	Applicant	Fees, Waivers and Exemptions	Waiver Exhibit

Application for Modification
Post – Repack Construction Permit
Engineering Exhibit

WUPX-TV – Morehead, Kentucky

Facility ID: 23128

Licensee "ION MEDIA LEXINGTON LICENSE, LLC" is currently authorized to operate on Post-Repack DTV channel 25. The Antenna Structure Registration Number is 1063995 with a Latitude of 37° 54' 26.6" N+ and a Longitude of 083° 38' 01.1" W-.

The purpose of this application is to request authority to modify the construction permit (0000034400) to operate from Antenna Structure Registration Number 1044238 with a Latitude of 37° 47' 18.0" N+ and a Longitude of 084° 40' 49.0" W-. The HAAT is 354.11 m (AGL 327.73 m) with an AMSL of 615.7 m. An ERP of 465 kW will be utilized.

The station is filing this request to change towers because the station is moving to a new tower location. To the extent necessary, the station requests an exemption or waiver of any current freeze on the filing of construction permit modifications as needed to process and approve this application.

Antenna System

A directional side mounted antenna will be utilized. It will be affixed to an existing guyed tower structure and will not increase the overall height of the structure. Any vertical component will not exceed the horizontal pattern in any direction. Elevation and Azimuth patterns are attached.

RF Hazard (Environmental)

Human Exposure measurements were calculated using the OET- 65 equation and the outcome is compliant with FCC 1.1310. Furthermore, the calculation is under 5% of the limit categorically excluding the application from further environmental evaluations.

Calculated Maximum	Calculated Exposure	Percent of Limit
mW/cm ²	mW/cm ²	
0.359	0.003653	1.02%

The station will coordinate with other(s) to comply with access, antenna and/or tower issues related to RF Exposure

Application for Modification
Post – Repack Construction Permit
Engineering Exhibit

Broadcast Facility

§73.616 Interference Caused

A calculation using *TVStudy* version 2.2.5 using an LMS database dated 2018-09-30 indicates that there is no excessive new interference created. This study used cell spacing of 2 km and a profile spacing of .2 km.

§73.622(f) Maximum ERP and Antenna Height

The application does not exceed the maximum ERP for the specified HAAT.

§73.622(i) DTV Allotments

To the extent necessary, the station requests an exemption or waiver of this condition.

§73.625 Coverage of Principal Community

To the extent necessary, the station requests an exemption or waiver of this condition.

§73.1030 Radio, Research and Receiving Locations

A calculation using *TVStudy* version 2.2.5 using an LMS database dated 2018-09-30 indicates that no excessive interference to any “protected” locations. As such, no coordination or notification is required.

§73.1650 International Agreements

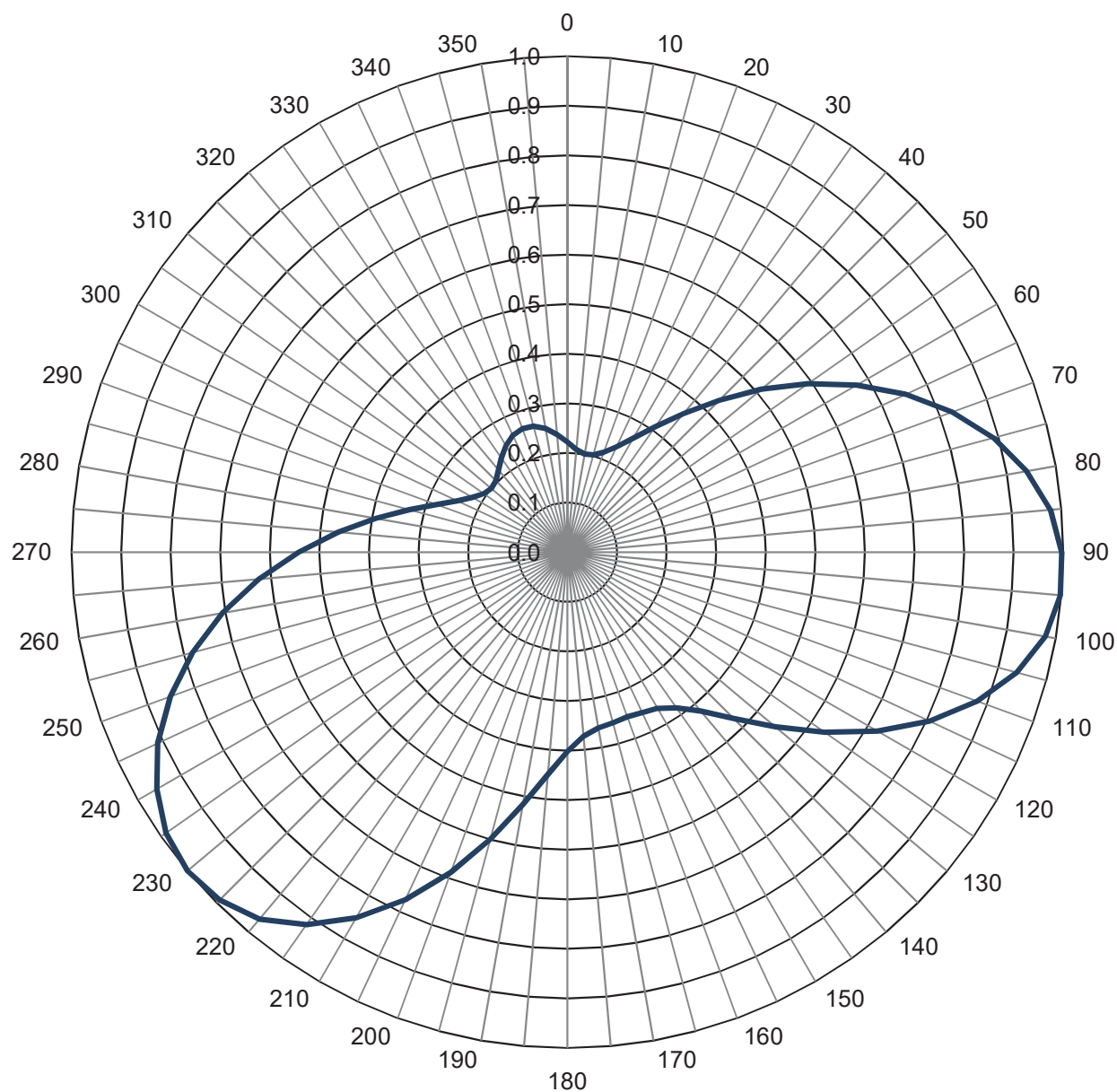
The application’s transmit location is 464.7 km from Canada. As such, no coordination or notification is required.

The application’s transmit location is 1745.8 km from Mexico. As such, no coordination or notification is required.

Azimuth Pattern

Type:	ATW-PX	Polarization:	Horizontal
Directivity:	2.70 numeric (4.32 dB)	Frequency:	25 (ATSC)
Peak(s) at:		Location:	Morehead (Lexington), KY
		NOTE: Pattern shape and directivity may vary with channel and mounting configuration.	

Relative Field



Tabulated Data for Azimuth Pattern

Type: ATW-PX

Angle	Field	dB	Angle	Field	dB	Angle	Field	dB	Angle	Field	dB
0	0.222	-13.07	100	0.979	-0.18	200	0.687	-3.26	300	0.221	-13.11
2	0.216	-13.31	102	0.966	-0.30	202	0.722	-2.83	302	0.214	-13.39
4	0.210	-13.56	104	0.949	-0.45	204	0.757	-2.42	304	0.208	-13.64
6	0.206	-13.72	106	0.928	-0.65	206	0.790	-2.05	306	0.204	-13.81
8	0.203	-13.85	108	0.905	-0.87	208	0.822	-1.70	308	0.202	-13.89
10	0.201	-13.94	110	0.879	-1.12	210	0.851	-1.40	310	0.200	-13.98
12	0.200	-13.98	112	0.851	-1.40	212	0.879	-1.12	312	0.201	-13.94
14	0.202	-13.89	114	0.822	-1.70	214	0.905	-0.87	314	0.203	-13.85
16	0.204	-13.81	116	0.790	-2.05	216	0.928	-0.65	316	0.206	-13.72
18	0.208	-13.64	118	0.757	-2.42	218	0.949	-0.45	318	0.210	-13.56
20	0.214	-13.39	120	0.722	-2.83	220	0.966	-0.30	320	0.216	-13.31
22	0.221	-13.11	122	0.687	-3.26	222	0.979	-0.18	322	0.222	-13.07
24	0.229	-12.80	124	0.650	-3.74	224	0.989	-0.10	324	0.228	-12.84
26	0.240	-12.40	126	0.616	-4.21	226	0.995	-0.04	326	0.235	-12.58
28	0.252	-11.97	128	0.583	-4.69	228	0.999	-0.01	328	0.242	-12.32
30	0.265	-11.54	130	0.548	-5.22	230	1.000	0.00	330	0.248	-12.11
32	0.281	-11.03	132	0.517	-5.73	232	0.997	-0.03	332	0.253	-11.94
34	0.300	-10.46	134	0.487	-6.25	234	0.991	-0.08	334	0.258	-11.77
36	0.319	-9.92	136	0.462	-6.71	236	0.982	-0.16	336	0.261	-11.67
38	0.341	-9.34	138	0.438	-7.17	238	0.971	-0.26	338	0.264	-11.57
40	0.365	-8.75	140	0.418	-7.58	240	0.956	-0.39	340	0.265	-11.54
42	0.392	-8.13	142	0.402	-7.92	242	0.941	-0.53	342	0.265	-11.54
44	0.419	-7.56	144	0.388	-8.22	244	0.922	-0.71	344	0.264	-11.57
46	0.448	-6.97	146	0.378	-8.45	246	0.901	-0.91	346	0.261	-11.67
48	0.479	-6.39	148	0.370	-8.64	248	0.878	-1.13	348	0.258	-11.77
50	0.511	-5.83	150	0.364	-8.78	250	0.852	-1.39	350	0.253	-11.94
52	0.542	-5.32	152	0.360	-8.87	252	0.826	-1.66	352	0.248	-12.11
54	0.575	-4.81	154	0.358	-8.92	254	0.798	-1.96	354	0.242	-12.32
56	0.608	-4.32	156	0.357	-8.95	256	0.768	-2.29	356	0.235	-12.58
58	0.641	-3.86	158	0.355	-9.00	258	0.737	-2.65	358	0.228	-12.84
60	0.674	-3.43	160	0.353	-9.04	260	0.706	-3.02	360	0.222	-13.07
62	0.706	-3.02	162	0.353	-9.04	262	0.674	-3.43			
64	0.737	-2.65	164	0.355	-9.00	264	0.641	-3.86			
66	0.768	-2.29	166	0.357	-8.95	266	0.608	-4.32			
68	0.798	-1.96	168	0.358	-8.92	268	0.575	-4.81			
70	0.826	-1.66	170	0.360	-8.87	270	0.542	-5.32			
72	0.852	-1.39	172	0.364	-8.78	272	0.511	-5.83			
74	0.878	-1.13	174	0.370	-8.64	274	0.479	-6.39			
76	0.901	-0.91	176	0.378	-8.45	276	0.448	-6.97			
78	0.922	-0.71	178	0.388	-8.22	278	0.419	-7.56			
80	0.941	-0.53	180	0.402	-7.92	280	0.392	-8.13			
82	0.956	-0.39	182	0.418	-7.58	282	0.365	-8.75			
84	0.971	-0.26	184	0.438	-7.17	284	0.341	-9.34			
86	0.982	-0.16	186	0.462	-6.71	286	0.319	-9.92			
88	0.991	-0.08	188	0.487	-6.25	288	0.300	-10.46			
90	0.997	-0.03	190	0.517	-5.73	290	0.281	-11.03			
92	1.000	0.00	192	0.548	-5.22	292	0.265	-11.54			
94	0.999	-0.01	194	0.583	-4.69	294	0.252	-11.97			
96	0.995	-0.04	196	0.616	-4.21	296	0.240	-12.40			
98	0.989	-0.10	198	0.650	-3.74	298	0.229	-12.80			

Elevation Pattern

Type: ATW20H3H

Polarization: Horizontal

Directivity:

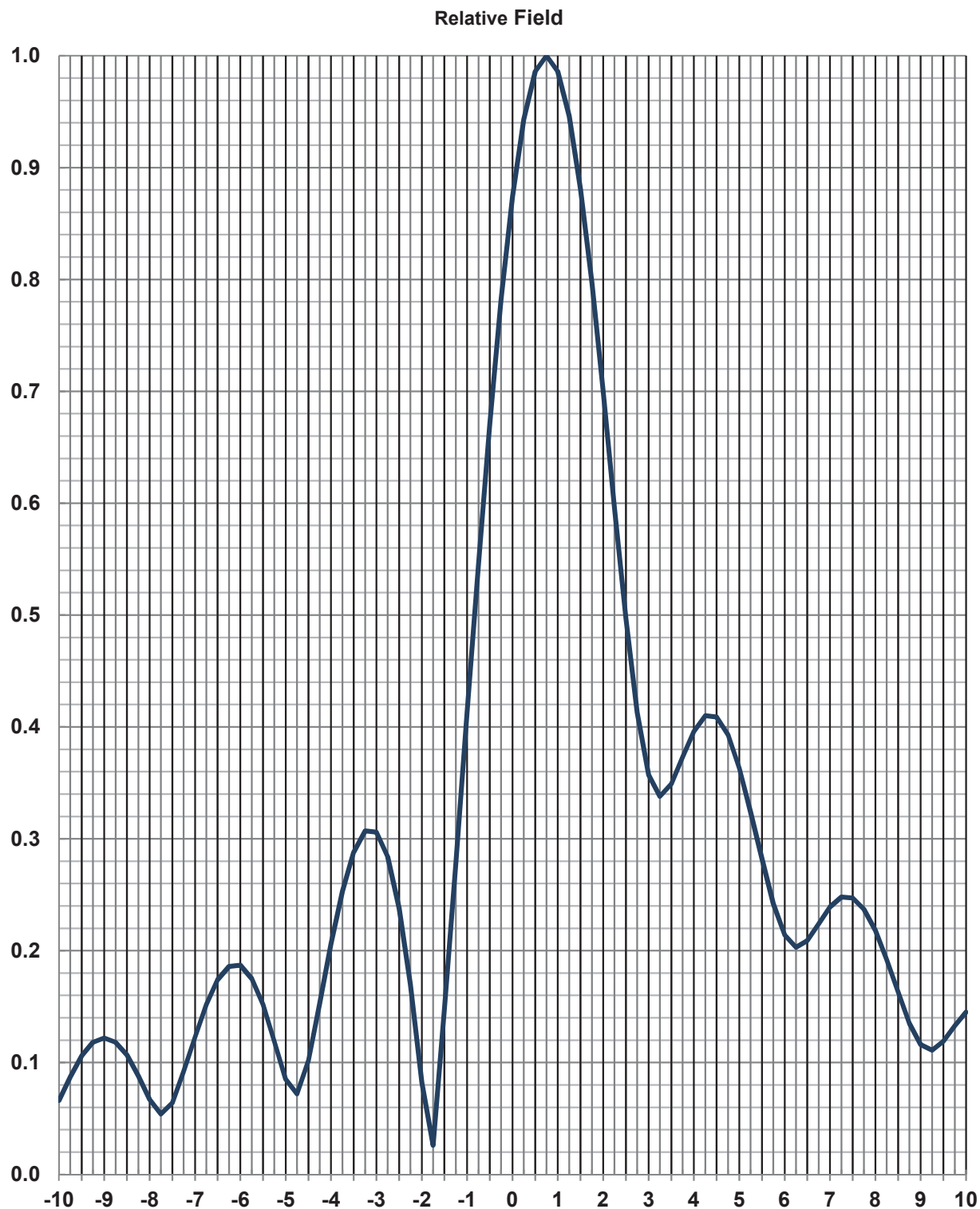
Frequency: 25 (ATSC)

Main Lobe: 20.00 numeric (13.01 dB)

Location: Morehead (Lexington), KY

Horizontal: 15.28 numeric (11.84 dB)

Beam Tilt: 0.75 degrees



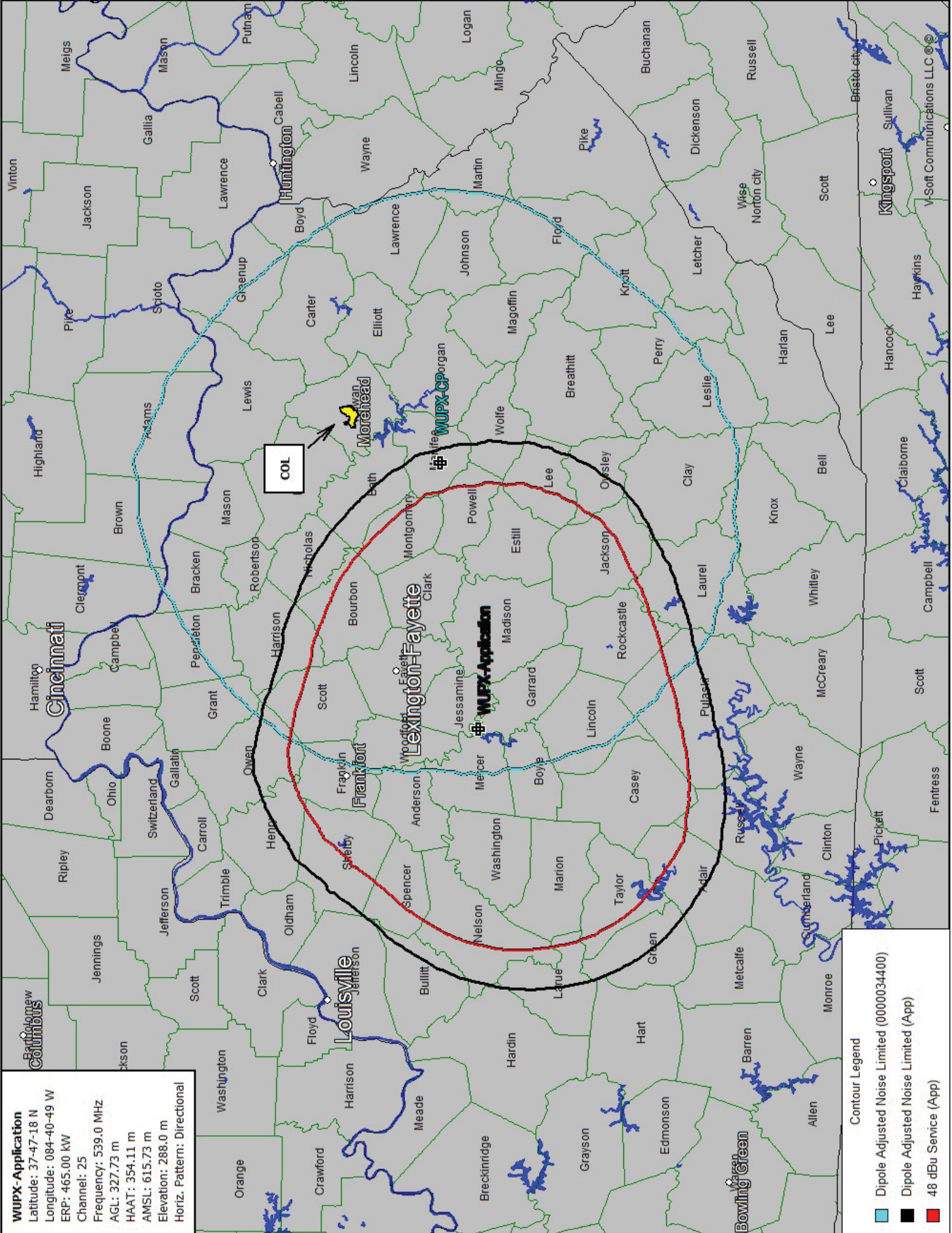
Tabulated Data for Elevation PatternType: ATW20H3H

-10 to 10 degrees in 0.25 degree increments.

10 to 90 degrees in 0.50 degree increments.

Angle	Field	dB	Angle	Field	dB	Angle	Field	dB	Angle	Field	dB	Angle	Field	dB
-10.00	0.066	-23.61	2.25	0.596	-4.50	19.00	0.078	-22.16	43.50	0.022	-33.15	68.00	0.045	-26.94
-9.75	0.087	-21.21	2.50	0.497	-6.07	19.50	0.075	-22.50	44.00	0.015	-36.48	68.50	0.036	-28.87
-9.50	0.106	-19.49	2.75	0.413	-7.68	20.00	0.058	-24.73	44.50	0.022	-33.15	69.00	0.027	-31.37
-9.25	0.118	-18.56	3.00	0.357	-8.95	20.50	0.038	-28.40	45.00	0.034	-29.37	69.50	0.017	-35.39
-9.00	0.122	-18.27	3.25	0.338	-9.42	21.00	0.037	-28.64	45.50	0.043	-27.33	70.00	0.006	-44.44
-8.75	0.118	-18.56	3.50	0.349	-9.14	21.50	0.054	-25.35	46.00	0.046	-26.74	70.50	0.005	-46.02
-8.50	0.107	-19.41	3.75	0.373	-8.57	22.00	0.065	-23.74	46.50	0.043	-27.33	71.00	0.015	-36.48
-8.25	0.088	-21.11	4.00	0.396	-8.05	22.50	0.063	-24.01	47.00	0.035	-29.12	71.50	0.025	-32.04
-8.00	0.067	-23.48	4.25	0.410	-7.74	23.00	0.049	-26.20	47.50	0.024	-32.40	72.00	0.034	-29.37
-7.75	0.054	-25.35	4.50	0.409	-7.77	23.50	0.032	-29.90	48.00	0.015	-36.48	72.50	0.041	-27.74
-7.50	0.064	-23.88	4.75	0.393	-8.11	24.00	0.034	-29.37	48.50	0.020	-33.98	73.00	0.048	-26.38
-7.25	0.092	-20.72	5.00	0.363	-8.80	24.50	0.050	-26.02	49.00	0.031	-30.17	73.50	0.053	-25.51
-7.00	0.123	-18.20	5.25	0.324	-9.79	25.00	0.061	-24.29	49.50	0.040	-27.96	74.00	0.057	-24.88
-6.75	0.152	-16.36	5.50	0.282	-11.00	25.50	0.060	-24.44	50.00	0.045	-26.94	74.50	0.059	-24.58
-6.50	0.174	-15.19	5.75	0.242	-12.32	26.00	0.048	-26.38	50.50	0.044	-27.13	75.00	0.060	-24.44
-6.25	0.186	-14.61	6.00	0.214	-13.39	26.50	0.032	-29.90	51.00	0.038	-28.40	75.50	0.061	-24.29
-6.00	0.187	-14.56	6.25	0.203	-13.85	27.00	0.028	-31.06	51.50	0.029	-30.75	76.00	0.060	-24.44
-5.75	0.175	-15.14	6.50	0.209	-13.60	27.50	0.041	-27.74	52.00	0.017	-35.39	76.50	0.059	-24.58
-5.50	0.152	-16.36	6.75	0.224	-13.00	28.00	0.052	-25.68	52.50	0.012	-38.42	77.00	0.056	-25.04
-5.25	0.119	-18.49	7.00	0.239	-12.43	28.50	0.055	-25.19	53.00	0.021	-33.56	77.50	0.054	-25.35
-5.00	0.085	-21.41	7.25	0.248	-12.11	29.00	0.047	-26.56	53.50	0.032	-29.90	78.00	0.051	-25.85
-4.75	0.072	-22.85	7.50	0.247	-12.15	29.50	0.032	-29.90	54.00	0.041	-27.74	78.50	0.047	-26.56
-4.50	0.102	-19.83	7.75	0.237	-12.51	30.00	0.023	-32.77	54.50	0.046	-26.74	79.00	0.044	-27.13
-4.25	0.153	-16.31	8.00	0.218	-13.23	30.50	0.032	-29.90	55.00	0.047	-26.56	79.50	0.041	-27.74
-4.00	0.206	-13.72	8.25	0.192	-14.33	31.00	0.045	-26.94	55.50	0.043	-27.33	80.00	0.037	-28.64
-3.75	0.253	-11.94	8.50	0.163	-15.76	31.50	0.052	-25.68	56.00	0.035	-29.12	80.50	0.034	-29.37
-3.50	0.288	-10.81	8.75	0.135	-17.39	32.00	0.049	-26.20	56.50	0.025	-32.04	81.00	0.031	-30.17
-3.25	0.307	-10.26	9.00	0.116	-18.71	32.50	0.037	-28.64	57.00	0.013	-37.72	81.50	0.029	-30.75
-3.00	0.306	-10.29	9.25	0.111	-19.09	33.00	0.024	-32.40	57.50	0.009	-40.92	82.00	0.026	-31.70
-2.75	0.284	-10.93	9.50	0.119	-18.49	33.50	0.022	-33.15	58.00	0.018	-34.89	82.50	0.024	-32.40
-2.50	0.238	-12.47	9.75	0.133	-17.52	34.00	0.034	-29.37	58.50	0.029	-30.75	83.00	0.022	-33.15
-2.25	0.170	-15.39	10.00	0.145	-16.77	34.50	0.045	-26.94	59.00	0.038	-28.40	83.50	0.020	-33.98
-2.00	0.082	-21.72	10.50	0.152	-16.36	35.00	0.048	-26.38	59.50	0.043	-27.33	84.00	0.019	-34.42
-1.75	0.026	-31.70	11.00	0.131	-17.65	35.50	0.043	-27.33	60.00	0.045	-26.94	84.50	0.017	-35.39
-1.50	0.147	-16.65	11.50	0.093	-20.63	36.00	0.032	-29.90	60.50	0.043	-27.33	85.00	0.016	-35.92
-1.25	0.278	-11.12	12.00	0.071	-22.97	36.50	0.021	-33.56	61.00	0.038	-28.40	85.50	0.015	-36.48
-1.00	0.413	-7.68	12.50	0.089	-21.01	37.00	0.024	-32.40	61.50	0.029	-30.75	86.00	0.013	-37.72
-0.75	0.546	-5.26	13.00	0.111	-19.09	37.50	0.036	-28.87	62.00	0.019	-34.42	86.50	0.012	-38.42
-0.50	0.671	-3.47	13.50	0.113	-18.94	38.00	0.046	-26.74	62.50	0.008	-41.94	87.00	0.010	-40.00
-0.25	0.782	-2.14	14.00	0.093	-20.63	38.50	0.048	-26.38	63.00	0.007	-43.10	87.50	0.008	-41.94
0.00	0.874	-1.17	14.50	0.063	-24.01	39.00	0.044	-27.13	63.50	0.019	-34.42	88.00	0.006	-44.44
0.25	0.943	-0.51	15.00	0.054	-25.35	39.50	0.033	-29.63	64.00	0.031	-30.17	88.50	0.005	-46.02
0.50	0.986	-0.12	15.50	0.074	-22.62	40.00	0.020	-33.98	64.50	0.041	-27.74	89.00	0.003	-50.46
0.75	1.000	0.00	16.00	0.090	-20.92	40.50	0.019	-34.42	65.00	0.049	-26.20	89.50	0.001	-60.00
1.00	0.986	-0.12	16.50	0.089	-21.01	41.00	0.029	-30.75	65.50	0.055	-25.19	90.00	0.000	---
1.25	0.946	-0.48	17.00	0.071	-22.97	41.50	0.039	-28.18	66.00	0.058	-24.73			
1.50	0.881	-1.10	17.50	0.049	-26.20	42.00	0.044	-27.13	66.50	0.058	-24.73			
1.75	0.797	-1.97	18.00	0.048	-26.38	42.50	0.042	-27.54	67.00	0.056	-25.04			
2.00	0.700	-3.10	18.50	0.066	-23.61	43.00	0.034	-29.37	67.50	0.051	-25.85			

WUPX-Application
Latitude: 37-47-18 N
Longitude: 084-40-49 W
ERP: 465.00 kW
Channel: 25
Frequency: 539.0 MHz
AGL: 327.73 m
HAAT: 354.11 m
AMSL: 615.73 m
Elevation: 288.0 m
Horiz. Pattern: Directional



- Contour Legend
- Dipole Adjusted Noise Limited (0000034400)
 - Dipole Adjusted Noise Limited (App)
 - 48 dBu Service (App)

Application for Modification
Post – Repack Construction Permit
RF Hazard (Environmental)

WUPX-TV – Morehead, Kentucky

Facility ID: 23128

Compliance with RF Hazard (Environmental) is provided in the attached Engineering Exhibit.

Waiver Exhibit

ION Media Lexington License, Inc. ("ION"), licensee of television station WUPX-TV (the "Station"), hereby submits this request for waiver of Sections 73.622(i) and 73.625(a)(1) of the Commission's Rules to the extent necessary to process and approve this instant application. On March 6, 2018, WUPX-TV was granted a construction permit for its post-auction facilities at the current tower site (FCC LMS File No. 0000034400). ION is submitting this Modification of a DTV Station Construction Permit Application to reflect relocation to a different tower site.

ION is currently working with the Commission to bring the proposed community of license issue into compliance as expeditiously as possible.

ION believes that grant of this waiver request is in the public interest as it would facilitate the Station's timely repack construction efforts and enable the Station to meet its assigned repack transition deadline.

EXHIBIT B

Technical Exhibit – Contour of WUPX-TV
Serving Richmond, KY

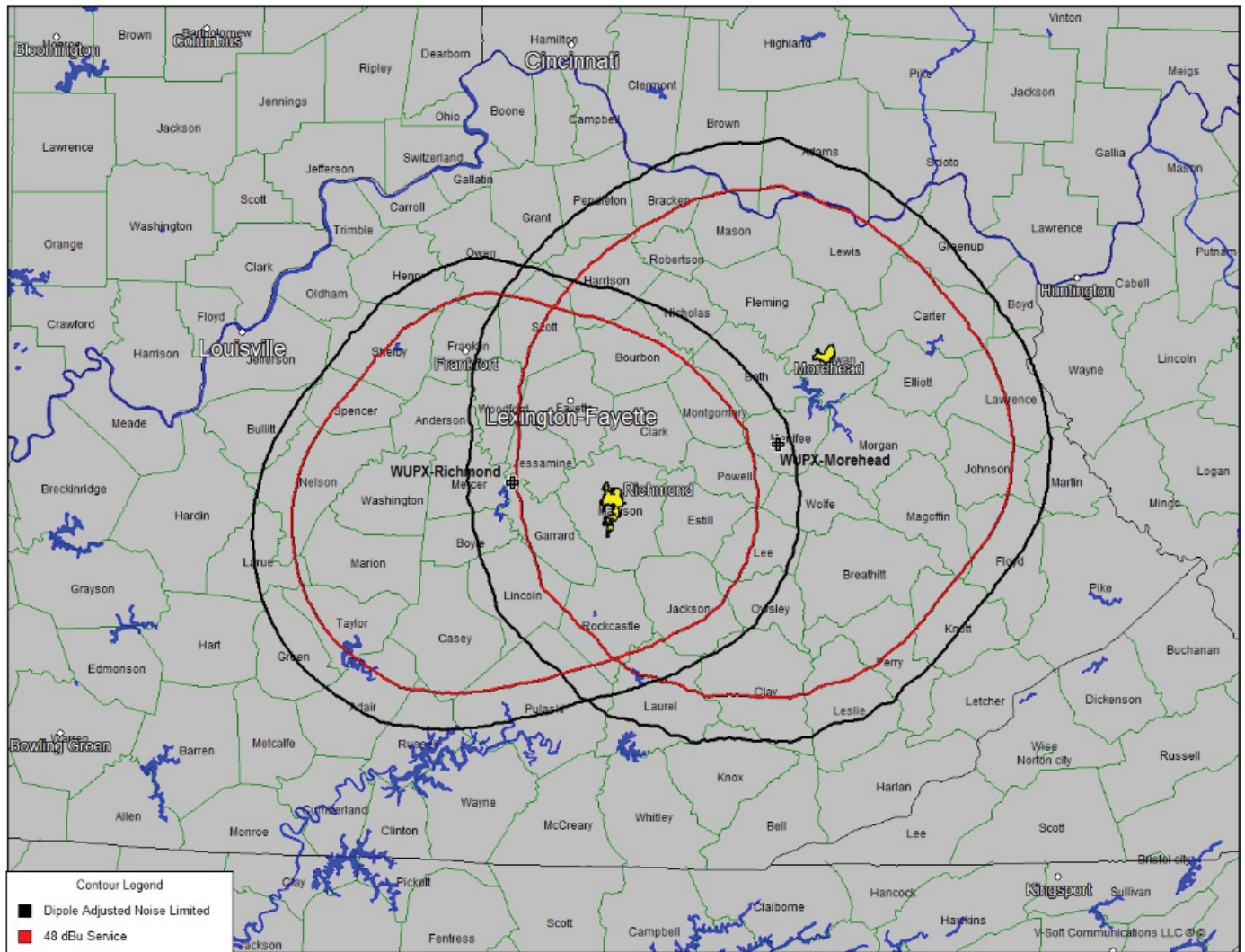


EXHIBIT C

Overall statistics on the City of Richmond

Category	Richmond, KY
Population	31,364 (2010)
Police	Richmond, KY Police Dept.-1 station
Fire	4 fire stations
Post Offices	3 post office locations
Government (City)	Office of the Mayor City Manager City Clerk Commissioners Finance Department Planning and Zoning Building Construction and Code Enforcement Parks and Recreation Public Works Utilities Safety and Risk Management Ethics Board Human Rights Commission
Newspapers	The Richmond Register
Libraries	Madison County Public Library Eastern Kentucky University Library
Colleges	14 within 100 miles of city center
Universities	Eastern Kentucky University
Public Schools	5 elementary schools 2 middle schools 1 high school 1 prep school 1 catholic school 2 private schools 3 technical/trade schools
Senior Citizen Services	Richmond Senior Citizen Center
Airports	Central Kentucky Regional Airport
Hospitals/Medical Centers	Baptist Health- Richmond Baptist Health-Meridian Way Madison County Children's Services KentuckyOne Urgent Care
Radio Stations	WEKY (1340 AM) WCBR (1110 AM) WEKU (88.9 FM) WVLK-FM (101.5 FM) WCYO-FM (100.7 FM) WLFX-FM (106.7 FM)
Performing Arts	EKU Center for the Arts

	The Spotlight Theatre/Playhouse
Synagogues	Chavay Zion Synagogue
Mosque/Islamic Center	Masjid of Richmond
Churches (representative list-Richmond has over 50 churches)	Vineyard Community Church First Baptist Church Eastside Community Church First United Methodist Church Real Life Community Church Richmond Church of Christ GracePoint Church St. Mark's Catholic Church Big Hill Christian Church First Christian Church Unity Baptist Church Rosedale Baptist Church Westside Christian Church Episcopal Church of our Savior Trinity Missionary Baptist Church Journey Community Church St. Thomas Lutheran Church St. Paul A.M.E. Church Ashland Church University Church of Christ First Church of the Nazarene The Church of Jesus Christ of Latter Day Saints
Museums	Invinton House Museum EKU Hummel Planetarium Baptist Preacher Andrew Tribbles Grave Ft. Boonesborough EKU Fred Parker Giles Gallery
Parks	Battlefield Park Fort Boonesborough State Park Richmond Kentucky Visitor Center E.C. Million Memorial Park Lake Reba Park Camp Catalpa Park Taylor Fork Ecological Area Paradise Cove Aquatic Center Irvine McDowell City Park Lake Reba Park
Historic Sites	White Hall State Historic Site Christopher "Kit" Carson Historical Marker Historic Elmwood Estate Historic Mount Pleasant House Boone Trace DAR Monument Battle of Richmond Visitor Center

Sports	Earle Combs Stadium Gertrude Hood Field Eastern KY University: soccer, football, baseball, basketball, cross country, golf, volleyball, track and field
Festivals/Fairs	Arts Festival
Local Attractions	Battle of Richmond Visitors Center EKU Center for the Arts Battlefield Park Hummel Planetarium at ECU Chenault Vineyards
Galleries	Chestnut Tree Gallery Creative Arts by Sherri The Pocket Gallery Ronald Gosses Caroline Williams Landenart Gallery on Main